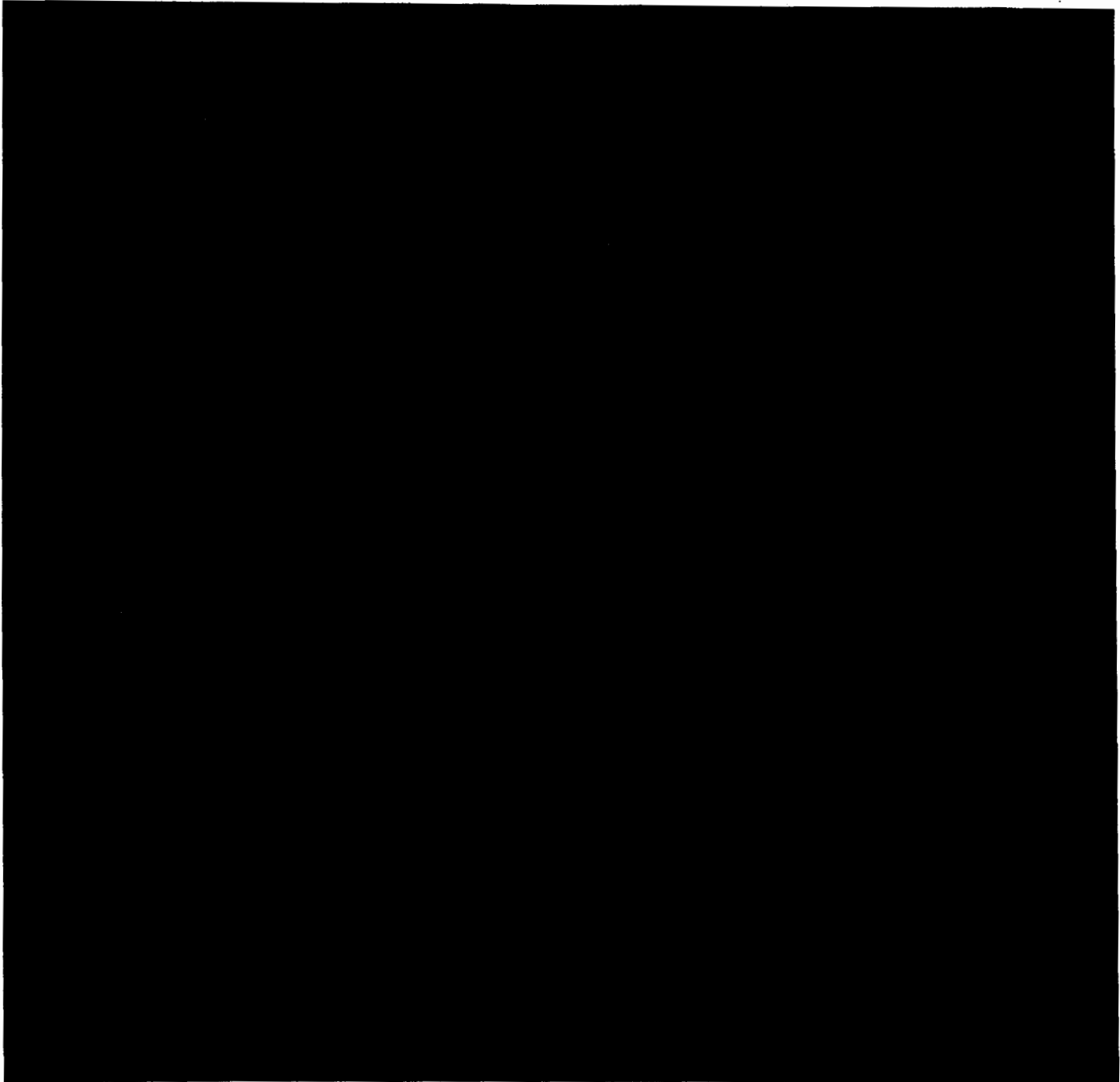


EXHIBIT QQQQ



Fw: Settlement Privileged Communication.FRE 408

Jennifer USA0458 Fischman

to: Nicholas USA7375 Oliva

01/19/2017 11:53 AM

FYI - I didn't realize until I hit send that you weren't copied. I sent a mea culpa email to clarify what happened with the counter-proposal.

Regards,

CONFIDENTIAL

Def 000842

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----- Forwarded by Jennifer USA0458 Fischman/USAP/USA on 01/19/2017 11:52 AM -----

From: Jennifer USA0458 Fischman/USAP/USA
To: Tomoji 3805803 Minami/AP/MCC@MCC@FCD
Cc: Jouhei 2003971 Takimoto/AP/MCC@MCC, Masaru 4307069 Utsunomiya/AP/MCC@MCC, Takehiko 4000500 Bandou/AP/MCC@MCC, Kazuya 2502021 Hori/AP/MCC@MCC, Chihiro 0604525 Ishikawa/AP/MCC@MCC, Akira 3804392 Kitagawa/AP/MCC@MCC
Date: 01/19/2017 11:51 AM
Subject: Re: FW: Settlement Privileged Communication FRE 408

Dear Tomoji,

My apologies for any confusion I may have caused with respect to the counter proposal. Although MCC agreed with Josh's comments below to counter with \$2.5M over 6 months, after further consideration between Josh, Nick and I, we thought it would not show good faith negotiation because that is essentially what we are seeking in the litigation. Instead, we believed a counter proposal should be a little bit lower, but over only 30 days, which is how we ended up at \$2.3M in 30 days. Unfortunately, I was home sick the entire week before the response was due and in my illness, I forgot to send MCC this proposal in advance of our responding to GI. When it was time to respond, I authorized Josh to make the proposal because I believed it was consistent with MCC's position to obtain at least \$2M in settlement. We knew that both proposals would be rejected by GI, so I believed that there would be no harm to MCC by offering this amount. If we believed that we were actually close to settling this lawsuit, we would never make a proposal without MCC's approval. In the future, as we progress toward settlement (hopefully), we will not make proposals or agreements of this nature without MCC's approval.

Josh will send the emails he exchanged with GI's counsel later today.

Regards,

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